

TTAB

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

CENVEO CORPORATION
8310 S. VALLEY HIGHWAY, SUITE 400
ENGLEWOOD, CO 80112
UNITED STATES

Mailed: January 22, 2007

73, 66.160

Cancellation No. 92046911
Reg. No. 1469035

MARK N. MUTTERPERL

FULBRIGHT & JAWORSKI L.L.P.
666 5TH AVE FL 30,
NEW YORK, NY 10103-3198

NATIONAL ENVELOPE CORPORATION

V.

CENVEO CORPORATION

02-05-2007

U.S. Patent & TMO/TM Mail Rpt Ct. #11

Tina Craven, Paralegal Specialist:

A petition, a copy of which is attached, has been filed to cancel the above-identified registration.

Proceedings will be conducted in accordance with the Trademark Rules of Practice.

ANSWER IS DUE FORTY DAYS after the mailing date hereof. (See Trademark Rule 2.196 for expiration date falling on Saturday, Sunday or a holiday).

Proceedings will be conducted in accordance with the Trademark Rules of Practice, set forth in Title 37, part 2, of the Code of Federal Regulations. The parties are reminded of the recent amendments to the Trademark Rules that affect the rules of practice before the TTAB. See Rules of Practice for Trademark-Related Filings Under the Madrid Protocol Implementation Act, 68 Fed. R. 55,748 (September 26, 2003) (effective November 2, 2003); Reorganization of Correspondence and Other Provisions, 68 Fed. Reg. 48,286 (August 13, 2003) (effective September 12, 2003). Notices concerning the rules changes, as well as the Trademark Trial and Appeal Board Manual of Procedure (TBMP), are available at www.uspto.gov/web/offices/dcom/ttab/.

The parties are particularly referred to Trademark Rule 2.126 pertaining to the form of submissions. Paper submissions, including but not limited to exhibits and depositions, not filed in accordance with Trademark Rule 2.126 may not be given consideration or entered into the case file.

ESTTA Tracking number:

ESTTA118369

Filing date:

01/08/2007IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	National Envelope Corporation		
Entity	Corporation	Citizenship	New York
Address	333 Earle Ovington Boulevard, Suite 1035 Uniondale, NY 11553 UNITED STATES		
Attorney information	Mark N. Mutterperl Fulbright & Jaworski L.L.P. 666 Fifth Avenue New York, NY 10103 UNITED STATES mmutterperl@fulbright.com, hrosenberg@fulbright.com, jparise@fulbright.com, nyipdocket@fulbright.com Phone:212-318-3183		

Registration Subject to Cancellation

Registration No	1469035	Registration date	12/15/1987
Registrant	CENVEO CORPORATION 8310 S. VALLEY HIGHWAY SUITE 400 ENGLEWOOD, CO 80112 UNITED STATES		
Goods/Services Subject to Cancellation	Class 016. First Use: 1987/03/16 , First Use In Commerce: 1987/03/16 Goods/Services: ENVELOPES		
	Class 020. First Use: 1987/03/16 , First Use In Commerce: 1987/03/16 Goods/Services: SHIPPING CONTAINERS		
Grounds for Cancellation	The registered mark has been abandoned.		

Attachments	national envelope v. cenveo's INTERNATIONAL ENVELOPE-cancellation.pdf (2 pages)(71727 bytes)
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Signature	/mark n. mutterperl/
Name	Mark N. Mutterperl
Date	01/08/2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of Registration No.: 1,469,035

By Cenveo Corporation for INTERNATIONAL ENVELOPE COMPANY & DESIGN

Registered: December 15, 2987

National Envelope Corporation,

Petitioner,

v.

Cancellation No. _____

Cenveo Corporation,

Respondent.

PETITION FOR CANCELLATION

National Envelope Corporation ("Petitioner") believes that it will be damaged by the continued registration of U.S. Reg. No. 1,469,035, issued on December 15, 1987 to Cenveo Corporation ("Registrant"), and hereby petitions to cancel the same pursuant to Section 14(3) of the Lanham Trademark Act of 1946, 15 U.S.C. § 1064(3).

As grounds therefore, Petitioner alleges as follows:

1. Petitioner has adopted and is now using the mark NATIONAL ENVELOPE, application Serial No. 78/623,149.
2. The mark INTERNATIONAL ENVELOPE COMPANY & DESIGN, in Registration No. 1,469,035, which stands in the name of Registrant, was cited under Section 2(d) of the Trademark Act as a basis for refusing registration of Petitioner's application for the mark, NATIONAL ENVELOPE, application Serial No. 78/623,149.
3. On information and belief, use of the mark INTERNATIONAL ENVELOPE COMPANY & DESIGN has been discontinued with intent not to resume such use. Thus, Registrant has abandoned its trademark.

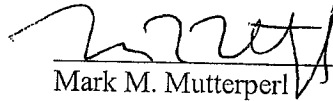
4. Petitioner will be damaged by the continuing registration of the mark in the registration at issue because the registration will block registration of Petitioner's mark NATIONAL ENVELOPE, application Serial No. 78/623,149.

WHEREFORE, Petitioner requests that Registration No. 1,469,035 be canceled.

This Petition For Cancellation is being filed electronically, with the filing fee required by 37 C.F.R. § 2.6(a)(17). The Commissioner is authorized to draw on the Deposit Account of Fulbright & Jaworski L.L.P., Account No. 50-0624 (10204752/MM/HR), if there is any problem with the processing of the electronically submitted fee.

Respectfully submitted,

Date: January 5, 2007


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ATTORNEYS FOR PETITIONER

United States Patent and Trademark Office

Commissioner for Trademarks

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